

Application No.: 09/974,929

Docket No.: JCLA7503

REMARKS**I. Present Status of the Application**

The Office Action rejected all pending claims 1-5, 10, 12-14, 16 and 18. Specifically, claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Koaizawa (JP 11-343135), claims 3-5 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Koaizawa, and claims 12-14 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Koaizawa in view of Kudo (JP 09-118537). The Examiner acknowledges that subject matter recited in claim 18 is allowable, but the claim is objected as being dependent on a rejected base claim.

Upon entry of the amendments in this response, claim 1 is amended and claims 20-22 are newly added. Thus, claims 1-5, 10, 12-14, 16, 18 and 20-22 are now pending in the present application. Support of the amendment of claim 1 can be found, for example, in Fig. 1. The claims 20-22 are added to more fully protect the invention; the limitation recited in claim 20 is supported by, for example, specification, paragraph [0053], and the limitation recited in claims 21 and 22 is supported by, for example, Fig. 1. Applicants believe that the foregoing amendments do not introduce new matter. Thus, reconsideration of those claims is respectfully requested.

II. Response to Objections and Rejections**A. Rejections under 35 U.S.C. § 102(b)**

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The Office Action, at page 2, rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Koaizawa (JP 11-343135). Applicants respectfully traverse the rejection as applied to the amended claims for at least the reasons set forth below.

To anticipate a claim, the prior art reference must teach each and every element of the claim. M.P.E.P. § 2131.

Claim 1, as amended, provides an apparatus for manufacturing a soot preform for an optical fiber, comprising a reaction chamber, an upper room, at least one core deposition burner, a horizontally extending slit and a gas exit. Claim 1 recites "said slit being adapted to pass gas into the upper part of said reaction chamber" (emphasis added).

Koaizawa, however, fails to teach the foregoing feature (Koaizawa, Fig. 1). Therefore, Koaizawa does not anticipate claim 1, as amended, since Koaizawa does not disclose each and every element of the claim. Consequently, Koaizawa does not anticipate claim 2 dependent on claim 1 as a matter of law.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

B. Rejections under 35 U.S.C. § 103(a)

The Office Action, at pages 3-6, rejected claims 3-5 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Koaizawa, and rejected claims 12-14 and 16 under 35 U.S.C. § 103(a) as

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being unpatentable over Koaizawa in view of Kudo (JP 09-118537). Applicants respectfully traverse the rejections as applied to the amended claims for at least the following reasons.

When applying to obviousness rejections, the references as well as the claimed invention must be considered as a whole, and the references must suggest the desirability and thus the obviousness of making the combination. M.P.E.P. § 2141. To establish prima facie obviousness of a claimed invention, all the claim limitation must be taught or suggested by the prior art. M.P.E.P. § 2143.

First, claims 3-5 and 10 should not be rendered obvious over Koaizawa. As discussed in the foregoing section, Koaizawa fails to teach a feature recited in the amended claim 1. Here, claims 3-5 and 10 are dependent on claim 1, and thus inherit the features from claim 1. Since Koaizawa fails to teach or suggest such significant feature claimed in this invention, claims 3-5 and 10 should not be rendered obvious over Koaizawa.

Second, claims 12-14 and 16 should not be rendered obvious over Koaizawa in view of Kudo. Similar to claims 3-5 and 10, claims 12-14 and 16 are dependent on, directly or indirectly, claim 1, thus should not be rendered obvious over Koaizawa for the reasons presented above. Further, Kudo teaches that the lower chamber has an exhaust port 12 through a damper 14 (Kudo, Fig. 1), but fails to teach an opening like the "connect hole" recited in claim 13. By teaching the exhaust port 12, Kudo teaches away from making such a "connect hole" for connecting the upper and the lower chambers. Thus, claims 12-14 and 16 should not be rendered obvious over Koaizawa in view of Kudo.

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Therefore, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

C. Allowable subject matter

Claim 18 is objected as being dependent upon a rejected base claim. Since the grounds of rejection to claim the base claim 16 have been addressed in the foregoing sections and the rejection has been overcome, claim 18 should be allowable. Therefore, Applicants respectfully submit that the objection has been overcome and should be withdrawn.

III. New Claims

Claims 20-22 are newly added to further define the scope of the invention; the limitation recited in claim 20 is supported by, for example, specification, paragraph [0053], and the limitation recited in claims 21 and 22 is supported by, for example, Fig. 1. The above new claims are submitted to be patentable over the prior art of record for at least the reasons that these dependent claims contain all features of their base claim 1 that is allowable over the prior art of record

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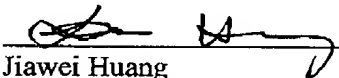
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 15, 10, 12-14, 16, 18 and 20-22 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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